

**VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 35A.3(2), the Commission of Veterans Affairs hereby amends Chapter 10, "Iowa Veterans Home," Iowa Administrative Code.

This amendment fixes a discrepancy in the language between subrule 10.47(7) and Iowa Code section 17A.19(5).

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 8488B** on January 27, 2010. A public hearing was held on February 17, 2010, in the Ford Memorial Conference Room, Iowa Veterans Home, Marshalltown, Iowa. No public comments were received. This amendment is identical to that published under Notice.

This amendment is intended to implement Iowa Code chapter 35D.

This amendment will become effective April 28, 2010.

The following amendment is adopted.

Amend subrule 10.47(7) as follows:

**10.47(7)** If a member is not satisfied with the decision of the department of inspections and appeals, the member may seek judicial review in accordance with Iowa Code chapter 17A. A member's discharge under rule 801—10.43(35D) shall not be stayed while judicial review is pending.

[Filed 3/5/10, effective 4/28/10]

[Published 3/24/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/24/10.